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13 **UNITED STATES DISTRICT COURT**

14 **DISTRICT OF NEVADA**

15 MICHAEL J. WELLS,) Case No. 3:19-cv-00407-MMD-CLB
16 Plaintiff,)
17 v.)
18 CHRIS PILKERTON, in his official capacity) **Stipulation for Extension of Time to**
19 as the Acting Administrator of the U.S.) **Reply to Plaintiff's Response to**
20 SMALL BUSINESS ADMINISTRATION, *et al.*,) **Defendant Pilkerton's Motion To**
21 Defendants.) **Dismiss (ECF No. 8)**
22) **(FIRST REQUEST)**
23)
24)
25)
26)
27)
28)

20 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Defendant Chris Pilkerton, in
21 his official capacity as Acting Administrator of the United States Small Business Administration
22 ("Defendant") and Plaintiff Michael Wells hereby stipulate to a 30-day extension of time, up to
23 and including **March 9, 2020**, for Defendant to file his reply to Plaintiff's Response to Defendant
24 Pilkerton's motion to dismiss (ECF No. 8).

25 1. Defendant's reply is currently due on February 7, 2020.

26 2. Defense counsel has a number of deadlines coming up in other cases, including a
27 Ninth Circuit appellate brief, a motion for summary judgment, and a motion to dismiss. In
28 addition, the United States Attorney's Office has one civil defensive attorney position vacant,

1 resulting in heavier caseloads for all civil defensive attorneys in the office. The requested
2 extension would allow defense counsel a meaningful opportunity to review Plaintiff's response
3 and draft a reply.

4 3. Plaintiff's counsel has advised that he does not object to this extension request.

5 4. This is Defendant's first request for an extension.

6 5. This request is made in good faith and not for the purpose of undue delay.

7 Accordingly, it is hereby proposed, and requested, that the time within which to file
8 Defendant's reply in support of his motion to dismiss be extended to **March 9, 2020**.

9
10 Respectfully submitted this 7th day of February, 2020.

11
12 ERICKSON, THORPE &
13 SWAINSTON, LTD.

14 /s/ John C. Boyden
15 JOHN C. BOYDEN, ESQ.

16 *Attorneys for Plaintiff*

17 NICHOLAS A. TRUTANICH
18 United States Attorney

19 /s/ Holly A. Vance
20 HOLLY A. VANCE
21 Assistant United States Attorney

22 *Attorneys for Defendant*

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

Having considered the Stipulation for Extension of Time to File Reply in Support of Motion to Dismiss, and good cause appearing,

IT IS HEREBY ORDERED that Defendant Chris Pilkerton, in his official capacity as Acting Administrator of the United States Small Business Administration, shall have up to and including **Monday, March 9, 2020**, to file his reply to Plaintiff's Response to Defendant Pilkerton's Motion to Dismiss, (ECF No. 8).

Dated this 7th day of February, 2020.

UNITED STATES DISTRICT JUDGE